



House of Representatives

General Assembly

File No. 70

February Session, 2016

House Bill No. 5356

House of Representatives, March 21, 2016

The Committee on Veterans' Affairs reported through REP. HENNESSY of the 127th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING VETERANS' HEALTH RECORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 20-7c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (d) Upon a written request of a patient, a patient's attorney or
5 authorized representative, or pursuant to a written authorization, a
6 provider, except as provided in section 4-194, shall furnish to the
7 person making such request a copy of the patient's health record,
8 including but not limited to, bills, x-rays and copies of laboratory
9 reports, contact lens specifications based on examinations and final
10 contact lens fittings given within the preceding three months or such
11 longer period of time as determined by the provider but no longer
12 than six months, records of prescriptions and other technical
13 information used in assessing the patient's health condition. No
14 provider shall refuse to return to a patient original records or copies of
15 records that the patient has brought to the provider from another

16 provider. When returning records to a patient, a provider may retain
17 copies of such records for the provider's file, provided such provider
18 does not charge the patient for the costs incurred in copying such
19 records. No provider shall charge more than sixty-five cents per page,
20 including any research fees, handling fees or related costs, and the cost
21 of first class postage, if applicable, for furnishing a health record
22 pursuant to this subsection, except such provider may charge a patient
23 the amount necessary to cover the cost of materials for furnishing a
24 copy of an x-ray, provided no such charge shall be made for furnishing
25 a health record or part thereof to a patient, a patient's attorney or
26 authorized representative if the record or part thereof is necessary for
27 the purpose of supporting a claim or appeal under any provision of the
28 Social Security Act, Title 38 of the United States Code or chapter 506
29 and the request is accompanied by documentation of the claim or
30 appeal. A provider shall furnish a health record requested pursuant to
31 this section within thirty days of the request. No health care provider,
32 who has purchased or assumed the practice of a provider who is
33 retiring or deceased, may refuse to return original records or copied
34 records to a patient who decides not to seek care from the successor
35 provider. When returning records to a patient who has decided not to
36 seek care from a successor provider, such provider may not charge a
37 patient for costs incurred in copying the records of the retired or
38 deceased provider.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	20-7c(d)
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VA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which prevents health providers from charging for certain health records, does not result in a fiscal impact to the state, or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5356*****AN ACT CONCERNING VETERANS' HEALTH RECORDS.*****SUMMARY:**

This bill prohibits certain health care providers from charging their patients, or the patients' attorneys or authorized representatives, for copies of all or parts of medical records necessary for supporting a claim or appeal relating to any of the provisions authorized under the federal and state veterans statutes. The request for records must include documentation of the claim or appeal. The bill requires these providers to furnish such records within 30 days of the written request.

The bill requires the following individuals or facilities to provide such records at no cost: health care institutions, physicians, chiropractors, natureopaths, podiatrists, dentists, and optometrists, among others.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 13 Nay 0 (03/03/2016)